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Judge Tells Y Malcolm Home Isn't Xactly His

If Malcolm X, militant Negro nationalist, doesn't come home soon from his racial politicking in Egypt, he won't find any home to return to.

Queens Civil Court Judge Maurice Wahl yesterday ordered him to give up the six-room \$16,200 home at 23-11 97th St., Elmhurst, which he has held since late 1959.

Rules It Muslim Property

Wahl's decision was given on evidence taken at a trial June 16-17 in which the Black Muslims of Muhammad's Temple of Islam, Inc., sought Malcolm's eviction. Judge Wahl held that the property clearly belonged to the temple, which had bought it as a residence or parsonage for Malcolm, as East Coast Black Muslim leader.

Malcolm lost his right to remain, the judge ruled, when he left the Muslims and formed a new cult.

What Caused the Split

Malcolm—legal name Malcolm X Little—parted with the Muslims after Elijah Muhammad, leader of the movement, suspended him last December because of a speech in which termed the assassination of President Kennedy a case of "the chickens coming home to roost."

Judge Wahl stayed execution of his ruling until Jan. 31 to give Malcolm time to find a new home for his wife and four children.

Percy Sutton, Malcolm's attorney, announced he would appeal.